

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

SHARON MOON,	:	
	:	CIVIL ACTION
Plaintiff,	:	
	:	No. 14-CV-00608
v.	:	
	:	
CAPITAL HEALTH SYSTEM, INC.,	:	
	:	
Defendant.	:	

MEMORANDUM AND ORDER

MCHUGH, J.

OCTOBER 17, 2014

The Defendant has brought a Motion to Transfer Venue pursuant to 28 U.S.C. § 1404(a) seeking to transfer venue from the Eastern District of Pennsylvania to the District of New Jersey in Trenton. When evaluating such a motion, the movant bears the burden of establishing the need for transfer. Jumara v. State Farm Ins. Co., 55 F.3d 873, 879 (3d Cir. 1995). Here, I find that this burden has not been met.

The Plaintiff in this case has chosen to litigate in the Eastern District of Pennsylvania, a venue that is proper, and “[i]n the Third Circuit, a plaintiff’s choice of forum is a paramount concern in deciding a motion to transfer venue and should not be lightly disturbed.” Endless Pools, Inc. v. Wave Tec Pools, Inc., 362 F. Supp. 2d 578, 586 (E.D. Pa. 2005); Shutte v. Armco Steel Corp., 431 F.2d 22, 25 (3d Cir. 1970). Where the plaintiff chooses to litigate in his or her home forum, as she does here, “the choice is entitled to great deference.” Endless Pools, Inc., 362 F. Supp. 2d at 586-87 (citing Piper Aircraft Co. v. Reyno, 454 U.S. 235, 255 (1981)).

The two courthouses are approximately 35 miles apart by vehicle, and there is efficient transit available from one location to the other. It seems inconceivable that a witness would be

unavailable for trial in one location but not the other. All of the other reasons offered for the venue transfer are outweighed by the great import attached to the Plaintiff's choice of forum, and the proximity of the suggested venue to that already chosen.

The Defendant's Motion to Transfer Venue is, therefore, **DENIED**.

/s/ Gerald Austin McHugh
United States District Court Judge